

**CASTLE HEIGHTS  
FIVE-LOT MINOR SUBDIVISION**

**STAFF REPORT FOR PLANNING BOARD**

**CASE PLANNER:** Shaun Morrell *SM*

**REVIEWED/  
APPROVED BY:** Renee Van Hoven *W*

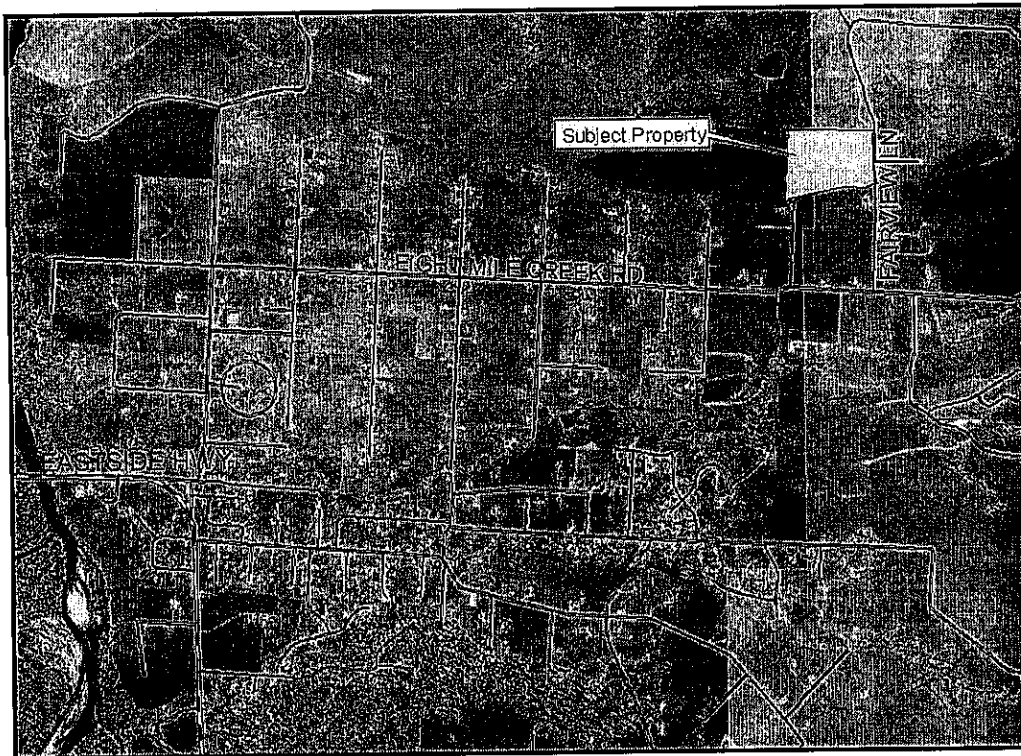
**PUBLIC HEARINGS/  
MEETINGS:**

RCPB Public Hearing:	July 19, 2006
Deadline for PB recommendation to BCC:	August 16, 2006
BCC Public Meeting:	9:00 a.m. August 17, 2006
Deadline for BCC action (35 working days):	September 7, 2006

**APPLICANT/OWNER:** Carol Greer  
PO Box 1054  
Florence, MT 59833

**REPRESENTATIVE:** Jean and Jake Kammerer  
PO Box 134  
Stevensville, MT 59870

**LOCATION OF REQUEST:** The property is located east of Florence off Eight Mile Creek Road and Fairview Lane. (See Map 1)



**Map 1: Location Map**  
(Source Data: Ravalli County Planning Department)

**LEGAL DESCRIPTION  
OF PROPERTY:**

Tract 1 of COS# 501891-F, located in the SW ¼ of Section 4, T10N, R19W, P.M.M., Ravalli County, Montana.

**APPLICATION  
INFORMATION:**

The subdivision application was determined complete on June 29, 2006. Agencies were notified of the subdivision and comments received by the Planning Department not included in the application packet are Exhibits A-1 through A-6 of the staff report.

**LEGAL NOTIFICATION:**

A legal advertisement was published in the Ravalli Republic on Tuesday, July 4, 2006. Notice of the project was posted on the property and adjacent property owners were notified by certified mail postmarked July 5, 2006. One public comment was received by the Planning Department and is included as Exhibit B of the staff report.

**DEVELOPMENT  
PATTERN:**

Subject property	Vacant Rural
North	Vacant Rural
South	Vacant Rural
East	Rural Residential
West	Agricultural

# RAVALLI COUNTY PLANNING BOARD

JULY 19, 2006

## CASTLE HEIGHTS FIVE-LOT MINOR SUBDIVISION

### RECOMMENDED MOTION

That the Castle Heights minor subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

### RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE SUBDIVISION

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

**Notification of Proximity to Agricultural Operations.** This subdivision is located near existing agricultural activities. Some may find activities associated with normal agricultural activities objectionable and dangerous. (*Effects on Agriculture*)

**Notification of Road Maintenance Agreement.** The internal subdivision road and Fairview Lane are not maintained by Ravalli County, the State of Montana, or any other governmental entity. Neither the County nor the State assume any liability for lacking or improper maintenance. A Road Maintenance Agreement for these roads has been filed with this subdivision and outlines which parties are responsible for maintenance and under what conditions. (*Effects on Local Services*)

**Notification of No-Build/Alteration Zones.** Within this subdivision there is a no-build/alteration zone on Tract 1, as shown on the final plat, to restrict building on slopes greater than 25%. No new structure, with the exception of fences, may be constructed in this area. No new utilities, with the exception of wells, may be constructed in this area, and the vegetation shall remain in its natural condition. (*Effects on Natural Environment and Public Health and Safety*)

**Notification of No-Build Zones.** Within this subdivision there is a no-build zone to protect the natural drainage within Tracts 1 and 3, as shown on the final plat. No building or structure, with the exception of fences, may be constructed in these areas. Roads, trails, and utility crossings of these areas are permitted. (*Effects on Natural Environment and Wildlife and Wildlife Habitat*)

**Notification of Severe Soils.** Within this subdivision there are areas of the property identified as potentially having soils rated as severe for roads and building sites. The approximate locations of these areas can be found on a reduced copy of the final plat and descriptions of the severe soils are included as exhibits to this document. (The applicant shall include the exhibits as attachments) (*Effects on Public Health and Safety*)

**Notification of Utility Easements.** Within this subdivision there are utility easements. No structure shall be allowed to encroach into or set upon the utility easements. The utility easements shall remain unobstructed and accessible at all times. (*Effects on Local Services*)

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

***Living with Wildlife.*** (See Exhibit A-1 for the required provisions.) (*Effects on Wildlife and Wildlife Habitat*)

***Waiver of Protest to Creation of RSID/SID.*** Owners and their successors in interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to creating and/or improving a community water or wastewater treatment system and improving and/or maintaining the roads that access the subdivision, including related right-of-way, drainage structures, and traffic control signs. (*Effects on Local Services*)

***Required Posting of County-Issued Addresses for Lots within this Subdivision.*** The Florence Rural Fire District has adopted the Uniform Fire Code, which requires the lot owners to post the County-issued addresses along Xcalibur Court at the intersection of each residential driveway as soon as construction on the residences begins. (*Effects on Local Services and Effects on Public Health and Safety*)

***Access Requirements for Lots within this Subdivision.*** The Florence Rural Fire District has adopted the Uniform Fire Code. All accesses, including driveways to residences over 150' in length, must have a minimum unobstructed travel surface width of 20', a vertical clearance of 13'6", maximum grade of 6%, and an all-weather surface that can accommodate the weight of a fire truck, in order to meet requirements of the Uniform Fire Code. Please contact the Florence Rural Fire District at PO Box 721, Florence, MT, for further information on the requirements of the Florence Rural Fire District and/or the Uniform Fire Code. (*Effects on Local Services and Effects on Public Health and Safety*)

***Primary Heat Source.*** The primary heat source for the newly constructed residences in this subdivision shall be at least 75% efficient. (*Effects on Natural Environment*)

***Lighting for New Construction.*** Full cut-off lighting shall be required for any new construction within this subdivision. A full cut-off fixture means fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane through the lowest point on the fixture where light is emitted. The source of light is fully shielded, top and sides, so as not to emit light upwards or sideways, but only allowing light to shine down towards the subject that is to be lighted. Spotlighting of flag poles shall be permitted. (*Effects on Public Health and Safety*)

***Control of Noxious Weeds.*** Lot owners shall control the growth of noxious weeds on their respective lot(s). (*Effects on Natural Environment*)

***Radon Exposure.*** The owner understands and accepts the potential health risk from radon concentrations, which are presently undetermined at this location. Unacceptable levels of radon can be reduced through building design and abatement techniques incorporated into structures. (*Effects on Public Health and Safety*)

***Amendment.*** The covenants filed with the final plat shall state that written Governing Body approval shall be required for amendments to provisions of the covenants that were required to be included as a condition of subdivision approval. (*Effects on all six criteria*)

3. The subdivider shall include an RSID/SID waiver in a notarized document filed with the subdivision plat that states the following: "Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners and any successors in interest to any future RSID/SID, based on benefit, for a community wastewater system, community water system, or upgrading roads leading to or within the subdivision, including but not limited to paving, curbs and gutters, non-motorized transportation facilities, street widening, and drainage facilities. *(Effects on Local Services)*
4. A road name sign and stop sign shall be installed at the intersection of Fairview Lane and Xcalibur Court prior to final plat approval. *(Effects on Local Services and Public Health and Safety)*
5. The applicants shall provide a letter from the Florence Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallons per lot water storage for fire protection for each lot within this subdivision. Alternatively, the applicants may provide evidence of a \$500 per lot contribution made to the Florence Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. *(Effects on Local Services and Effects on Public Health and Safety)*
6. The easement for the internal road Xcalibur Court shall be labeled as a public road and utility easement on the final plat. *(Effects on Local Services)*
7. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses for each lot within this subdivision. *(Effects on Public Health and Safety)*
8. The applicants shall provide evidence that a financial contribution (to be decided by the Planning Board) has been contributed to the Florence-Carlton School District prior to final plat approval. *(Effects on Local Services)*
9. The 60-foot-wide no-build zone centered along the natural drainage feature within Tracts 1 and 3 shall be shown on the face of the final plat, as shown on the preliminary plat. *(Effects on the Natural Environment and Effects on Public Health and Safety)*

### **INTRODUCTION**

The Castle Heights minor subdivision is a five-lot subdivision of 32.37 acres located east of Florence. There is a no-build/alteration zone traversing Tracts 1 and 3 along a natural drainage feature. Approximately 20% of the property lies on soils rated as severe for roads and/or residential building sites.

*Staff recommends conditional approval of the subdivision proposal.*



## **SUBDIVISION REPORT**

### **COMPLIANCE WITH PRIMARY SUBDIVISION REVIEW CRITERIA**

#### **CRITERION 1: EFFECTS ON AGRICULTURE**

##### **Findings of Fact:**

1. The proposed major subdivision on 32.37 acres will result in five lots that range in size from 4.0 acres to 16.3 acres. The property is located approximately four miles east of the Town of Florence.
2. It does not appear that the property has been used for agriculture recently.
3. There are no Prime Farmland Soils or Farmland of Statewide Importance associated with this property.
4. The property is located in an area where there is a mix of agricultural and residential uses. To mitigate impacts on nearby agricultural practices, a notification of agricultural operations shall be filed with the final plat. The protective covenants, also filed with the final plat, shall include a provision requiring homeowners to keep pets confined to the house, within a fenced yard, or in an outdoor kennel. (Conditions 1 and 2)

##### **Conclusions of Law:**

1. With the recommended mitigating conditions, impacts of this subdivision on surrounding agricultural practices will be reduced.
2. The creation of these lots will not take Prime Farmland or Farmland of Statewide Importance out of production.

#### **CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES**

##### **Finding of Fact:**

1. There are no irrigation water rights or irrigation infrastructure associated with this property.

##### **Conclusion of Law:**

The subdivision is not expected to have any significant impact on agricultural water user facilities.

#### **CRITERION 3: EFFECTS ON LOCAL SERVICES**

##### **Findings of Fact:**

1. Road plans and grading and drainage plans for the reconstruction of Fairview Lane were originally prepared by Ron Uemera, acting as a private consultant to the applicant. Authorship of these plans was later transferred to Garry Shook. The plans were subsequently approved by Mr. Uemera, then acting as the County's Professional Engineering Advisor.
2. Fairview Lane is a privately maintained road, a portion of which does not meet County standards. The applicant will reconstruct the 400-foot portion of the road leading to the subdivision to meet County standards.
3. Eight Mile Creek Road, a County-maintained road providing access to the subdivision, does not meet County standards. The applicant is required to pay the pro-rata share of the cost to improve the portion of this road providing access to the subdivision to meet County standards.
4. The internal road, Xcalibur Court, is proposed to meet County standards. An engineer's certification that the road meets County standards is a requirement of final plat approval. The Road and Bridge Department has approved the preliminary road plans. (Exhibit A-5)
5. To mitigate impacts on local services and ensure public access, the easement for the internal road shall be labeled as a public road and utility easement on the final plat. A notification shall be included in the Notifications Document to ensure that the utility easements remain unobstructed and accessible. (Conditions 1 and 6)





6. A road maintenance agreement for the internal road and Fairview Lane has been included in the application packet and is required to be filed with the final plat. To mitigate impacts on local services and public health and safety, a notification of the road maintenance agreement shall be included in the Notifications document filed with the final plat. (Condition 1)
7. Road plans and grading and drainage plans approved by the County's Professional Engineering Advisor, a road certification certified by a professional engineer for the internal road, and a copy of the General Discharge Permit for Stormwater associated with construction activity from MDEQ (if required) will be required prior to final plat approval. All infrastructure improvements are required to be completed prior to final plat approval.
8. The applicant shall submit road name petitions approved by the County GIS department for the internal subdivision road prior to final plat approval. A road name sign shall be installed at the intersection of Xcalibur Court and Fairview Lane prior to final plat approval. (Condition 4)
9. To mitigate potential impacts of this subdivision on any possible future public water, sewer system, or improvements to the road system, an RSID/SID waiver filed with the final plat shall address these services/facilities. (Conditions 2 & 3)
10. Individual wells and wastewater treatment systems are proposed for lots within this subdivision. (see Effects on Natural Environment)
11. Bitterroot Disposal provides service to this site.
12. The Florence-Carlton School District was notified of the subdivision proposal, and no response was received by the Planning Department. The applicant has stated that no voluntary contribution will be made to the School District. Nonetheless, there is a likelihood that the subdivision will have a financial impact on public school services. Following standard practice for subdivision approval, Planning staff recommends a condition that the applicant provide evidence of a contribution to the School District prior to final plat approval. (Condition 8)
13. The subdivision is located within the Florence Rural Fire District. The Florence Rural Fire District has provided comments on previous subdivision proposals indicating they have adopted a policy which addresses access, posting of addresses, and water supply requirements. Conditions of approval will meet the recommendations of the Florence Rural Fire District. (Conditions 2 & 5)
14. The Ravalli County Sheriff's Office provides law enforcement services to this area.
15. Public services are adequate to serve this subdivision.

**Conclusion of Law:**

With the mitigating conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be reduced.

**CRITERION 4: EFFECTS ON THE NATURAL ENVIRONMENT**

**Findings of Fact:**

1. A natural drainage feature traverses the subject property through Tracts 1 and 3. To mitigate impacts on the natural environment, a 60-foot no-build zone shall be centered on the drainage feature on the final plat, as proposed on the preliminary plat. A notification of the no-build zone shall be included in the Notifications Document filed with the final plat. (Conditions 1 & 9)
2. Individual wells and wastewater treatment systems are proposed to serve lots within the subdivision and adequate information has been provided to the Environmental Health Department for local subdivision review to occur (Exhibit A-2). A Certificate of Subdivision Plat Approval from Montana DEQ has been provided and is required to be submitted with the final plat. (see Application)
3. To mitigate air pollution resulting from home heating emissions, the protective covenants filed with the final plat shall state that the primary heat source for any newly constructed residences must be at least 75% efficient. (Condition 2)
4. A noxious weed and vegetation control plan is required to be filed with the final plat for ground disturbance associated with a subdivision. According to MCA 7-22-2152, any person proposing a development that requires State or local approval and that results in the potential for noxious weed infestation within a weed district shall notify the Weed District at least 15 days prior to

activity. Consequently, 15 days prior to activities requiring a revegetation plan, such as road construction, the plan shall be submitted to the Weed District for approval. To mitigate impacts on the natural environment, a noxious weed control provision shall be included in the protective covenants filed with the final plat for this subdivision. (Condition 2)

Conclusion of Law:

With the mitigating conditions and the requirements of final plat approval, impacts from this subdivision on the natural environment will be reduced.

**CRITERION 5: EFFECTS ON WILDLIFE AND WILDLIFE HABITAT**

Finding of Fact:

1. The property is located within the elk winter range identified by Montana Fish, Wildlife, and Parks (FWP). However, FWP submitted no specific recommendations regarding this issue. FWP did request that Living with Wildlife provisions be included in the covenants to mitigate general impacts on wildlife and wildlife habitat. (Exhibit A-1) (Condition 2)
2. There are no species of special concern listed in the vicinity of the property.

Conclusion of Law:

With this condition of approval, impacts of the proposed subdivision on wildlife and wildlife habitat will be reduced.

**CRITERION 6: EFFECTS ON PUBLIC HEALTH AND SAFETY**

Findings of Fact:

1. A private road and utility easement exists along the northern boundary of the subdivision, as described in Deeds #504114 (see Application). The easement traverses the no-build/alteration zone that is required to be delineated on slopes greater than 25%. Planning staff has advised the applicant that the platting of this subdivision may obstruct the grantee's legal ability to use the easement and construct a road through the no-build/alteration zone. Staff recommends that the applicant seek a variance that would allow road and utility crossings through the no-build/alteration zone.
2. There are slopes greater than 25% on the property. A no-build/alteration zone is required to be shown on the final plat, as shown on the preliminary plat. To mitigate impacts on public health and safety, a notification of the no-build/alteration zone shall be included in the Notifications Document. (Condition 1)
3. The conditions that address the Fire District's recommendations will mitigate impacts on local services and public health and safety. (Conditions 2 & 5)
4. A natural drainage feature traverses the subject property through Tracts 1 and 3. To mitigate potential hazards to public safety, a 60-foot no-build zone shall be centered on the drainage feature on the final plat. A notification of the no-build zone shall be included in the Notifications Document filed with the final plat. (Conditions 1 & 9)
5. The preliminary plat and soils map indicate that portions of this subdivision may have soils rated as severe for building and road construction. To educate property owners and to mitigate potential impacts of this subdivision on public health and safety, a notification of the potential for severe soils shall be included in the Notifications Document filed with the final plat. (Condition 1)
6. Lots will be served by individual wells and wastewater treatment systems. (see *Effects on the Natural Environment*)
7. To mitigate the general impacts of this subdivision on public health and safety, the subdivider shall apply for County-issued addresses for each lot within this subdivision. Provisions shall be included in the protective covenants requiring property owners to post County-issued addresses at each driveway, and requiring a road name sign at the entrance of the subdivision, in order to enhance the delivery of emergency services. (Conditions 2, 4, & 7)

8. To mitigate the impacts of light pollution stemming from new construction, the protective covenants shall include a provision requiring full cut-off lighting with the exception of flag poles.  
(Condition 2)
9. There is a prevalence of radon in the County and to mitigate impacts on public health and safety, the covenants for this property shall include a statement regarding radon exposure.  
(Condition 2)

Conclusion of Law:

With the conditions and requirements of final plat approval, the impacts of this subdivision on public health and safety will be reduced.

## **COMPLIANCE WITH:**

### **1) THE SURVEY REQUIREMENTS PROVIDED FOR IN PART 4 OF M.C.A. 76-3.**

#### **Finding of Fact:**

The Seal of a Professional Land Surveyor or Engineer is required on all final plats, which states that the subdivision complies with part 4 of M.C.A. 76-3.

#### **Conclusion of Law:**

This proposal meets the survey requirements, or conditions have been required to bring the proposal into compliance.

### **2) THE LOCAL SUBDIVISION REGULATIONS PROVIDED FOR IN PART 5 OF M.C.A. 76-3.**

#### **Finding of Fact:**

Subdivisions are required to comply with the local subdivision regulations provided for in part 5 of M.C.A. 76-3.

#### **Conclusion of Law:**

The developer has submitted a plan which complies with the requirements of local subdivision regulations or conditions have been required that will bring the plan into compliance.

### **3) THE LOCAL SUBDIVISION REVIEW PROCEDURE PROVIDED FOR IN THE RAVALLI COUNTY SUBDIVISION REGULATIONS**

#### **Findings of Fact:**

1. Subdivisions are required to comply with the local subdivision review procedure provided for in the Ravalli County Subdivision Regulations.
2. A decision of the governing body rejecting or approving a proposed subdivision may be appealed to the district court within thirty (30) days of such decision. The petition shall specify the grounds upon which the appeal is made. An appeal may be made by the subdivider; a landowner with a property boundary contiguous to the proposed subdivision or a private landowner with property within the unincorporated area of the county that can show a likelihood of material injury to the landowner's property or its value; a first class municipality if the subdivision is within three miles of its limits, a second class municipality if a subdivision is within two miles of its limits, a third class municipality or town if the subdivision is within one mile of its limits. An aggrieved party means a person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision.

#### **Conclusion of Law:**

This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.

## **CONSISTENCY WITH EXISTING ZONING AND COVENANTS**

#### **Findings of Fact:**

1. The application states the property is not located within a zoning district.
2. There are existing covenants on the property (see Application). The proposal appears to be consistent with existing covenants.

#### **Conclusion of Law:**

Zoning does not apply to this property and the proposal is in compliance with existing covenants.

### **PROVISION OF EASEMENTS FOR UTILITIES**

#### **Findings of Fact:**

1. The plat indicates utility easements are located along Fairview Lane. Utility easements are proposed to be extended along the internal subdivision road.
2. According to the application, the proposed subdivision will be served by Ravalli Electric Cooperative and Qwest Telephone. Utility companies have been notified of the proposed subdivision and no comments from the Ravalli Electric Cooperative have been received to date. Qwest states in a letter dated May 5, 2005 (Exhibit A-6), that they will provide telephone service to the subdivision.
3. Utility easements are required to be shown on the final plat.

#### **Conclusion of Law:**

Utility services are available to the subdivision.

### **PROVISION OF LEGAL AND PHYSICAL ACCESS**

#### **Finding of Fact:**

Physical and legal access for this subdivision is proposed via Eight Mile Creek Road and Fairview Lane. The lots will access off an internal road. (see *Effects on Local Services*)

#### **Conclusion of Law:**

With the conditions of approval and requirements of final plat approval, the proposal meets physical and legal access requirements.





# Montana Fish, Wildlife & Parks

RECEIVED

JUN 29 2005

Ravalli County Planning Dept.

10-03-06-1255  
Region 2 Office

3201 Spurgin Road

Missoula, MT 59804-3099

406-542-5500

June 28, 2005

Susan Vieth  
Kammerer Environmental Consulting, Inc.  
PO Box 134  
Stevensville, MT 59870-0134

## EXHIBIT A-1

Dear Ms. Vieth:

Reference: Castle Heights—Proposed minor (5-lot) subdivision, East of Florence

We have reviewed the plat for this subdivision, and we offer the following comments.

This subdivision is located in the foothills of the Bitterroot Divide, between (and within about a half mile of) Woodchuck and Eightmile Creeks and their associated riparian areas. There are nearby irrigated agricultural fields--all habitats frequented by wildlife. This is identified as deer and elk habitat and other wildlife such as coyote and skunk are found in the area, as well as an occasional black bear and possible mountain lion. Numerous small mammal and bird species (including birds of prey) can be found nearby, as well as nesting birds. There is a likelihood of human/wildlife interactions at this location, and we believe that "living with wildlife" issues should be conveyed to current and future residents of this subdivision, as a development covenant, in order to help homeowners deal with and avoid potential wildlife issues.

Attached is our recommended version of such covenants. Please contact Sharon Rose at our office (542-5540; [shrose@state.mt.us](mailto:shrose@state.mt.us)) if you would like an electronic version of these comments. Thank you for providing the opportunity for MFWP to comment on this subdivision.

Sincerely,

Mack Long  
Regional Supervisor

ML/sr

C: Ravalli County Planning Department, Attn: Karen Hughes, 215 S. 4 St. F, Hamilton, MT 59840

## **Section \_\_: Living with Wildlife**

Homeowners must accept the responsibility of living with wildlife and must be responsible for protecting their vegetation from damage, confining their pets, and properly storing garbage, pet food, livestock feed and other potential attractants. Homeowners must be aware of potential problems associated with the occasional presence of wildlife such as deer, black bear, mountain lion, foxes, skunks, magpies and other animals. Please contact the Montana Fish, Wildlife & Parks office in Missoula (3201 Spurgin Road, Missoula, MT 59804) for brochures that can help homeowners "live with wildlife." Alternatively, see the Education portion of FWP's web site at [www.fwp.mt.gov](http://www.fwp.mt.gov).

The following covenants are designed to help minimize problems that homeowners could have with wildlife, as well as helping homeowners protect themselves, their property and the wildlife that Montanans value.

1. Homeowners must be aware of the potential for **vegetation damage by wildlife**, particularly from deer feeding on green lawns, gardens, flowers, ornamental shrubs and trees in this subdivision. Homeowners should be prepared to take the responsibility to plant non-palatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Also, consider landscaping with native vegetation that is less likely to suffer extensive feeding damage by deer.
2. **Gardens and fruit trees** can attract wildlife such as deer and bears. Keep produce and fruit picked and off the ground, because rotting vegetable material can attract bears and skunks. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller. Netting over gardens can help deter birds from eating berries.
3. **Garbage** should be stored in secure animal-resistant containers or indoors to avoid attracting animals such as bears, raccoons, and other wildlife. It is best not to set garbage cans out until the morning of garbage pickup.
4. **Do not feed wildlife** or offer supplements (such as salt blocks), attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that could lead to overuse of vegetation and disease transmission. Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-3-130) to purposely or knowingly attract bears with supplemental food attractants (any food, garbage, or other attractant for game animals) or to provide supplemental feed attractants in a manner that results in "an artificial concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety." Also, homeowners must be aware that deer might occasionally attract mountain lions to the area.
5. **Bird feeders** attract bears. If used, bird feeders should: a) be suspended a minimum of 20 feet above ground level, b) be at least 4 feet from any support poles or points, and c)



should be designed with a catch plate located below the feeder and fixed such that it collects the seed knocked off the feeder by feeding birds.

6. **Pets** must be confined to the house, in a fenced yard, or in an outdoor kennel area, and not be allowed to roam as they can chase and kill big game and small birds and mammals. Under current state law it is illegal for dogs to chase hooved game animals and the owner may also be held guilty (MCA 87-3-124).
7. **Pet food and/or livestock feed** should be stored indoors, in closed sheds or in animal-resistant containers in order to avoid attracting wildlife such as bears, mountain lions, skunks, raccoons, and other wildlife. **When feeding pets or livestock** do not leave food out overnight. Consider feeding pets indoors so that wild animals do not learn to associate food with your home.
8. **Barbecue grills** should be stored indoors. Keep all portions of the barbecues clean. Food spills and smells on and near the grill can attract bears and other wildlife.
9. Consider **boundary fencing** that is no higher than 3-1/2 feet (at the top rail or wire) and no lower than 18 inches (at the bottom rail or wire) in order to facilitate wildlife movement and help avoid animals such as deer becoming entangled in the fence or injuring themselves when trying to jump the fence. We encourage the use of split rail fences.
10. **Compost piles** can attract skunks and bears. If used they should be kept indoors or built to be wildlife-resistant. Compost piles should be limited to grass, leaves, and garden clippings, and piles should be turned regularly. Adding lime can reduce smells and help decomposition. Do not add food scraps
11. **Apiaries (bee hives)** could attract bears in this area. (If used, consult Montana Fish, Wildlife & Parks or the U.S. Fish & Wildlife Service for help in planning and constructing an apiary system that will help deter bears.)





Environmental Health  
215 South 4<sup>th</sup> – Suite D  
Hamilton, MT 59840  
(406)375-6268 FAX (406)375-2048

MEMORANDUM

TO: Ravalli County Planning Department  
FROM: *MF* Morgan T. Farrell, R.S., Environmental Health  
DATE: 4-11-06  
RE: CASTLE HILLS SUBDIVISION

The Ravalli County Environmental Health Department has received the above-referenced proposal for review. Based on the information provided, the application appears to be sufficient for subdivision review. The Sanitation in Subdivision review will be completed in accordance with the contract with the Department of Environmental Quality. Additional questions or comments may be required based upon the continued review of this file and the content of future submittals.



Ravalli County Sheriff's Office  
205 Bedford Street, Suite G  
Hamilton, MT 59840-2853



Chris Hoffman, Sheriff

Kevin McConnell, Undersheriff

**RECEIVED**

MAY 17 2005

PC-05-05-962

Ravalli County Planning Dept.

May 13, 2005

Kammerer Environmental Consulting, LLC  
Attn: Jake Kammerer R.S.  
P.O. Box 134  
Stevensville, MT 59870

## EXHIBIT A-3

**RE: Agency Comment – Castle Heights Subdivision**

Dear Mr. Kammerer,

This letter is in response to the above referenced matter relative to the proposed **Castle Heights Subdivision**. A proposal for a new subdivision is cause for concern for the Sheriff's Office. My comments follow:

1. The safety and welfare of all citizens in Ravalli County, is the highest priority of our agency. Due to the current budget constraints placed upon our office, and manpower shortages, this office is struggling to provide ample service for the citizens of Ravalli County now.
2. With the county population growth leading the state, and no more resources becoming available to the Sheriff's Office, this office may not be able to provide all of the services that the citizens of Ravalli County deserve.

For the above stated reasons, it is my belief that a new subdivision would certainly further impact and adversely affect the ability of the Sheriff's Office to provide Law Enforcement services for this community.

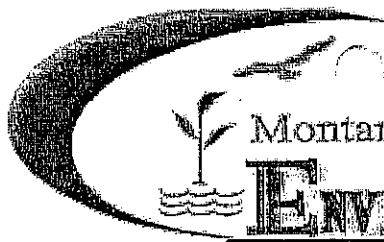
Respectfully,

  
Chris Hoffman,  
Ravalli County Sheriff

CAH:ld

Cc: Ravalli County Planning Board





## EXHIBIT A-4

Montana Department of

Brian Schweitzer, Governor

**ENVIRONMENTAL QUALITY**

P.O. Box 20091 Helena, Montana, 59620-0901 406-444-2544 [www.deq.state.mt.us](http://www.deq.state.mt.us)

January 17, 2005

JAN 18 2005

Mr. Jake Kammerer  
Kammerer Environmental Consulting  
P.O. Box 134  
Stevensville, Montana  
59870

RE: Castle Heights Subdivision  
Ravalli County  
EQ# 05-2023

RECEIVED  
10-05-01-109

Dear Mr. Kammerer:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you wish to challenge the conditions of this Certificate of Subdivision Plat Approval, you may request a hearing before the Board of Environmental Review or the Department, pursuant to Section 76-4-126, MCA and the Montana Administrative Procedures Act.

If you have any questions, please contact this office.

Sincerely,

*Raymond E. Lazuk*

Raymond Lazuk, Supervisor  
Subdivision Review Section

RL/MEA

cc: County Sanitarian  
County Planning Board

STATE OF MONTANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
CERTIFICATE OF SUBDIVISION APPROVAL  
(Section 76-4-101 et. seq., MCA)

JAN 11 2005

TO: County Clerk and Recorder  
Ravalli County  
Hamilton, Montana

E.Q. #05-2023

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Castle Heights Subdivision**

FOR LEGAL DESCRIPTION, SEE ATTACHED "EXHIBIT A"

consisting of five (5) tracts have been reviewed by personnel of the Permitting and Compliance Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the Plat is made with the understanding that the following conditions shall be met:

THAT the tract sizes as indicated on the Plat to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT each tract shall be used for one single-family dwelling, and,

THAT each individual water system will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT the data provided indicates an acceptable water source at a depth of approximately 120 feet, and,

THAT each individual wastewater treatment system will consist of a septic tank, effluent filter, and subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and,

THAT each subsurface drainfield shall have an absorption area of sufficient size to provide a maximum application rate of 0.5 gallons per day per square foot of drainfield for Tracts 1, 4, and 5 and 0.6 gallons per day per square foot of drainfield for Tracts 2 and 3, and,

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

THAT no wastewater treatment system shall be constructed within 100 feet of the maximum highwater level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any water supply source, and,

THAT the water supply, wastewater treatment and storm drainage systems must be located as shown on the approved plans and attached lot layout, and,



JAN 11 2005

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the Plat, approved location of water supply and wastewater treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed wastewater treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

Pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the State under Title 76, Chapter 4, MCA, and local board of health under section 50-2-116(1)(i), before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the Plat filed in your office as required by law.

DATED this 7th day of January, 2005.

RAVALLI COUNTY HEALTH OFFICER

By: Theresa J. Blazicevich  
Theresa J. Blazicevich, Director  
Ravalli County Environmental Health  
215 South 4<sup>th</sup> – Suite D  
Hamilton, MT 59840

RICHARD OPPER  
DIRECTOR

By: Melton C. Atwell for  
Raymond Lazuk, Supervisor  
Subdivision Review Section  
Permitting and Compliance Division  
Department of Environmental Quality

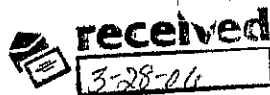
Owner's Name: Carol J. Greer

## *EXHIBIT "A"*

Beginning at the section corner common to sections 4, 5, 8 and 9; thence N00°20'18"E a distance of 170.63' to the true point of beginning; thence N67°15'21"E a distance of 135.75'; thence N74°57'50" E a distance of 864.65'; thence N89°37'40"E a distance of 340.67'; thence N62°51'28"E a distance of 162.28'; thence N83°31'23"E a distance of 20.14'; thence with a curve turning to the left with an arc length of 114.77', with a radius of 300.00', with a chord bearing of N10°53'53"W, thence with a curve turning to the right with an arc length of 103.76', with a radius of 300.00', with a chord bearing of N11°59'05"W, thence N02°02'47"W a distance of 647.82'; thence S87°39'16"W a distance of 1394.30'; thence S00°17'57"W a distance of 1158.68' to the true point of beginning, having an area of 32.37 acres gross and net. Excepting and reserving any easements shown, also subject to all easements of record and as apparent upon the ground

The above tract of land is to be known as Castle Heights Subdivision, a platted subdivision. No land is being dedicated to the public. This plat conforms to the preliminary plat decision as approved by the Board of County Commissioners.

JAN 11 2005



ENGINEERING  
SURVEYING  
PLANNING

3021 Palmer • P.O. Box 16027 • Missoula, Montana 59808-6027

(406) 728-4611  
FAX: (406) 728-2476  
wgmgroupp.com

March 24, 2006

## EXHIBIT A-5

Ravalli County Road & Bridge Department  
Attn.: David Ohnstad  
244 Fairgrounds Rd.  
Hamilton, MT 59840

RE: Castle Heights  
Ravalli County Reference No. OG-05-12-1245  
WGM Group Reference No. 06-01-25

APPROVED 31 MARCH 2006  
*[Signature]*

Dear David:

On behalf of the Ravalli County Road and Bridge Department (RCRBD), we have completed our preliminary review of the above-referenced project. Adequate road, grading, and drainage information has been submitted for the project. If the RCRBD is in concurrence with our review, please forward this letter to the Planning Office to be included with the full subdivision application.

A Preliminary Comment Memorandum was sent to the design engineer in accordance with Step 6 on the RCRBD's "Schedule of Activities – Processing & Coordination of Subdivision Projects" form. We are now sending this letter to your office in accordance with Step 7 of the RCRBD's Schedule of Activities and this completes our preliminary review of the project.

We have included the following items with this letter:

- 1) A Road, Drainage, and Grading Review Correspondence Summary
- 2) Original Correspondence Letters Between the Design Engineer and Review Engineer
- 3) Revised Road, Grading, and Drainage Plan Resubmitted by the Design Engineer

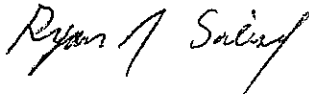
This review is based upon the 2004 version of the AASHTO Geometric Design of Highways and Streets, the 2001 version of the AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400), and the Ravalli County Subdivision Regulations.

Review of the plans and reports are limited to general conformance with the Ravalli County Subdivision Regulations in place at the time the subdivision application was

submitted. This is not a complete or comprehensive review of the design assumptions or conclusions of the design professional who submitted the plans and reports. Because this subdivision is being reviewed under the old Ravalli County Subdivision Regulations, a final review of the construction plans is not necessary.

Thank you for the opportunity to work with the Ravalli County Road Department. If you have any questions, please contact our office.

Sincerely,  
WGM Group, Inc.

A handwritten signature in black ink, appearing to read "Ryan J. Salisbury". The signature is written in a cursive, flowing style.

Ryan J. Salisbury, P.E.  
Project Engineer

Encl.

cc: Ron Uemura, RAM Engineering, Inc.

**ROAD, DRAINAGE, AND GRADING REVIEW CORRESPONDENCE SUMMARY**  
**February 1, 2006 thru March 13, 2006**

**Sample Format**

X. WGM's Original Comment's

*Comment Response From RAM Engineering in italics*

*Comment Response From RAM Engineering in italics*

**WGM's Final Comment's**

***RAM Engineering Final Comment***

**Roadways**

1. The typical roadway sections shown on the Site Plan by RAM Engineering appears to propose a 6 inch deep roadside ditch (4 feet at 8:1 slope). The existing ditch along Fairview Lane has a well defined 12-inch to 18-inch deep ditch with culverts under the driveways. It is recommended that the roadside ditch be deep enough to prevent storm water from being able to saturate the base and sub-base layers of the new asphalt roadway. (Memo dated February 1, 2006 from Salisbury)

*As stated before, there will be very little "runoff" into the roadside swales, therefore, it is my professional opinion and decision not to have a deep culvert.*  
(Email dated February 1, 2006 from Uemura)

*We will revise the road section to reflect a 4:1 side slope. This will result in a 12" deep ditch section that should be adequate for the amount of runoff that may flow to it.* (Email dated February 9, 2006 from Uemura)

**A revised Drainage and Grading Plan and a Road Plan and Profile were re-submitted to the review engineer and indicates that a 12-inch roadside ditch is proposed for the development and the design engineer states this depth is adequate in his professional opinion. (Memo dated March 13, 2006 from Salisbury)**

2. At the intersection of Fairview Lane and Castle Lane, it is recommended that the 20 foot radii be increased to 25 feet as recommended by AASHTO on Page 401. This will help larger vehicles and vehicles with trailers navigate the corners in this rural neighborhood. Because the Ravalli County roadway regulations do not specifically address radius returns, the recently adopted AASHTO manual was used as a design guideline for this review. (Memo dated February 1, 2006 from Salisbury)

*The Ravalli County Subdivision Regulations do state the 20" radius. I suggest that you read the document thoroughly. (Email dated February 1, 2006 from Uemura)*

**The design engineer is correct that the Ravalli County Subdivision Regulations in place at the time the project was submitted allow for a 20-foot radius. Our previous comment was in error and was based upon the revised Ravalli County Subdivision Regulations that are currently in place, specifically AASHTO. The Castle Heights subdivision was submitted under the "old" regulations. (Memo dated March 13, 2006 from Salisbury)**

3. Because Fairview Lane was recently constructed, the existing contours shown on the plans do not reflect the grades on Fairview Lane. Please provide existing grades (approximate) for Fairview Lane. (Memo dated February 1, 2006 from Salisbury)

*The topographic survey information was prepared by Shepherd Surveying and provided to me upon completion of their work. Any "recent" construction work on Fairview Lane was done after the design work was completed and submitted back in April 2005. We have no control of what others do or when the Planning Department finally has the time to review the subdivision application. (Email dated February 1, 2006 from Uemura)*

*Fairview Lane was not recently reconstructed. The roadway was merely bladed off to smooth off the ruts caused by the recent snow, rain, and traffic. This is quite evident looking at the intersection and the edges of Fairview Lane. Therefore, the existing topo is still valid. (Email dated February 9, 2006 from Uemura)*

**A second site visit was completed and the design engineer is correct in the fact that the topography shown on the submitted plans is accurate. (Memo dated March 13, 2006 from Salisbury)**

### **Storm Drainage**

1. The Ravalli County Road and Bridge Department views culverts as a standard practice for road construction on roadways within Ravalli County. Culverts and a roadside ditch next to Castle Lane will help convey water and avoid water ponding at driveway crossings. Culverts are not called out at the proposed driveway locations on the road plans. Please call out type, diameter, and approximate length on the plans. All existing driveways along Fairview Lane have culverts in place and will be required for this development. (Memo dated February 1, 2006 from Salisbury)

*The County Road Department requires culverts at driveway/road crossings if there is a roadside swale. We have no control of when/where the future lot owners will place their driveways. It would be their responsibility to decide if a culvert crossing will be necessary. The County Road Department only has jurisdiction on public roads; not private roads. In other words, the lot owners fronting Castle Lane would not have to secure a driveway access permit from the County. (Email dated February 1, 2006 from Uemura)*

The Ravalli County Road and Bridge Department views culverts as a standard practice for road construction on roadways within Ravalli County. Culverts and a roadside ditch next to Castle Lane will help convey water and avoid water ponding at driveway crossings. **It is recommended by the RCRBD** that a note be placed on the drawings stating that culverts are to be installed at driveway locations on the north side of Castle Lane. The reviewer understands that driveway locations are not determined at this time, but future lot owners should be made aware that without culverts water may flow over a proposed driveway causing a saturated driveway subject to rutting and erosion. Due to the steeper slopes of the roadside ditch (approximately 5%), drainage flow paths will be disrupted by driveways and should be evaluated by the design engineer, not the homeowner. (Memo dated March 13, 2006 from Salisbury)

***We will place a note on the drawing regarding providing culverts for the driveways. Please note, however, that the homeowner is not required to secure any approvals from the RCRBD for his driveway installation since Castle Lane is a private road. (Memo dated March 13, 2006 from Uemura)***

2. The road plans show a 24-inch culvert under Castle Lane at the existing drainage swale; however, no culvert is shown on the plans at the intersection of Fairview Lane and Castle Lane, parallel to Castle Lane, at the location of the existing roadside ditch for Fairview Lane. A culvert will be required at this location unless the designer can show that a culvert is not warranted in this location (i.e. near a high point). (Memo dated February 1, 2006 from Salisbury)

*Obviously no culvert is proposed at the Fairview Lane intersection because the topographic survey drawing does not show any roadside swales. A culvert would only be required to convey collected stormwater in a ditch/swale if interrupted by a new roadway. (Email dated February 1, 2006 from Uemura)*

*Other than the proposed culvert for the existing drainage way crossing the proposed Castle Lane, no other culverts are proposed. The land on the west edge (project) of Fairview Lane slopes towards the drainage way. There are no ditches running parallel to Fairview Lane, therefore, there is no need to put in a culvert at the intersection. (Email dated February 9, 2006 from Uemura)*

**It is the design engineer's professional opinion is that a culvert is not necessary at the intersection of Fairview Lane and Castle Lane, parallel to Castle Lane. (Memo dated March 13, 2006 from Salisbury)**

3. More detail should be provided on the final construction drawing plans for the detention pond, outlet structure, and final grading around the detention pond to ensure water will reach the detention pond via the proposed roadside ditch. Is the small detention pond designed to prevent sediment from building up in the detention pond? If the pond releases storm water at historic flows and does not become "short circuited" by sediment, this will help mitigate affects on downstream properties.

*The final plans were already submitted. No new plans are forthcoming. (Email dated February 1, 2006 from Uemura)*

This subdivision is being reviewed under the "old" Ravalli County Subdivision Regulations and the design engineer is correct that no other plans will be submitted. Therefore, more detailed finish grading and drainage information is desirable on final plans for the detention pond, outlet structure (if any), and the flow path of water after it is routed through the detention pond during spring runoff with frozen ground and an event larger than the 10-year event. There are no proposed contours around the drainage basin. Please revise and resubmit the plans. (Memo dated March 13, 2006 from Salisbury)

***The detention pond is just a 10' X 10' X 12" min. deep "hole" in the ground – cannot depict any contours since the interval shown is only 1'. This hole will adequately handle the calculated 100-yr storm runoff. Perhaps we should give the perspective homeowner the credit to site his home and grade around it to prevent any surface runoff from affecting his property improvements? (Memo dated March 13, 2006 from Uemura)***

4. A drainage swale may need to be provided to keep storm water from inundating the drainfield for Tract 5. (Memo dated February 1, 2006 from Salisbury)

*The drainfields shown are not in place but approved by the DEQ. The placement of the dwelling and yard improvements will be the responsibility of the lot owner. (Email Dated February 1, 2006 from Uemura)*

DEQ 8, Chapter 3, states that no drainfields or home sites may be inundated by the 100-year flow path. DEQ 8 is a statewide regulation that the Castle Heights subdivision should be designed to meet. It is the design engineer's responsibility to show a flow path of the 100-year storm on Lot 5 to make the homebuyer aware of the responsibilities of stormwater runoff that is routed on the north side of Castle Lane and through Lot 5 near the proposed drainfield. During spring runoff, when the ground is frozen, storm water will not infiltrate into the ground. (Memo dated March 13, 2006 from Salisbury)



***As indicated on my drainage report dated April 19, 2005, the drainage area for the roadway swale is only 3.5 acres. The  $Q_{10}$  is calculated as 1.31 cfs and the  $Q_{100}$  is 1.64 cfs ( $0.30 \times 1.56 \times 3.5 = 1.64$ ) – not much runoff to worry about, especially since it would typically percolate into the ground. (Memo dated March 13, 2006 from Uemura).***

#### **Miscellaneous**

1. Please label existing contours more clearly on the Roadway, Grading, and Drainage Plan, and/or define line types more clearly with differing line weights. It is difficult to follow the labels on the right side of the drawing across to the center of the drawing. (Memo dated February 1, 2006 from Salisbury)

*Unless you're color blind, the 10' contour lines are printed in red while the 1' contours are shown in blue. Sorry, but you may have gotten a black line copy instead? (Email dated February 1, 2006 from Uemura)*

**The review engineer was given a black and white copy of the grading plan, but Ram Engineering forwarded a color copy for review. (Memo dated March 13, 2006 from Salisbury)**



## EXHIBIT A-6

May 5, 2005



Jake Kammerer  
Kammerer Environmental Consulting, LLC  
P.O. Box 134  
Stevensville, MT 59870

Dear Mr. Kammerer:

RE: Castle Heights Subdivision

Thank you for the information on the proposed 5-lot Sun Castle Heights Subdivision located off Fairview Lane in Florence, MT.

Qwest Corporation will provide telecommunications service to this development under the terms and conditions of the Provisioning Agreement for Housing Development (PAHD). This agreement stipulates Qwest will provide the facilities at no charge to the developer/builder as long as the cost does not exceed the cap of \$775 per lot established for the state of Montana. The developer/builder must pay costs in excess of the cap prior to the start of any required construction. Upon receipt of a final plat, the cost of providing service to the development will be determined and provided to the developer/builder.

If you have any additional information or questions please call me on 406-543-2175 or contact the Qwest Developer Contact Group on 1-800-526-3557.

Sincerely,

Dave Smith  
Senior Design Engineer  
1515 S 14 West  
Missoula, MT 59801-4927



## EXHIBIT B

RECEIVED  
MAY 18 2005  
IC-0505-986  
Ravalli County Planning Dept.

May 16, 2005

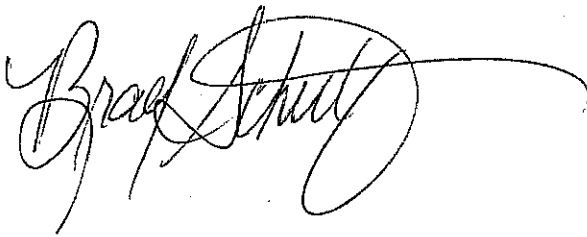
Ravalli County Planning Department  
215 S. 4<sup>th</sup> Street, Suite F  
Hamilton, MT 59840

To Whom It May Concern:

I have received a notification regarding the Castle Heights Subdivision proposal. As an adjacent landowner to this new subdivision, the concern this has to me would be that of traffic volume causing dust control problems. As a homeowner/landowner on Fairview Lane, along with several other homeowners/landowners on Fairview Lane, we were required to pave the road as a subdivision requirement to solve this problem. My request would be that the Castle Heights Subdivision be required to continue the paving of Fairview up to and through their subdivision as well.

Sincerely,

Brad & Tammy Schultz

A handwritten signature in cursive script, appearing to read "Brad Schultz", with a long horizontal flourish extending to the right.

